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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/455,534	12/07/1999	MICHAEL ZIRNGIBL	53470.000039	5280

29315 7590 07/11/2003

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC
12010 SUNSET HILLS ROAD
SUITE 900
RESTON, VA 20190

EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/11/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/455,534

Applicant(s)

ZIRNGIBL ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 7 and 16 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter, the term “TML”, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 7-13 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (US: 5915001), and in view of Coffman et al (US: 6385191).

For claims 1 and 10, regarding “a first system.....voice service”, Uppaluru teaches on column 3 line 24-25 a system generates a voice web personal home page. Uppaluru teaches on column 2 line 26-29 the web page is a hypertext markup language document.

Regarding “a storage.....documents”, Uppaluru teaches on item 103 Fig. 1 a storage device for storing the markup documents.

Uppaluru failed to teach “a call builder.....documents”. However, Coffman et al teach on item 104 Fig. 1 telephone gateway (claimed “a call builder”). Coffman et al teach on column 3 line 20 to column 4 line 52 the telephone gateway uses markup web page to initiate an outbound call.

Regarding “a call receiver.....communication”, Uppaluru teaches on item 105 Fig. 1 and column 4 line 48-50.voice web gateway (claimed “a call receiver”).

Regarding “wherein.....communications”, Uppaluru teaches on Fig. 6-9 the markup web pages dynamically and interactively interface with subscribers.

It would have been obvious to one skilled at the time the invention was made to modify Uppaluru to have the “a call builder.....documents” as taught by Coffman et al such that the modified system of Uppaluru would be able to support the call builder for initiating an outbound call to the system users.

Regarding claims 2 and 11, Uppaluru teaches on column 3 line 7-10 authentication of a caller.

Regarding claims 3 and 12, Uppaluru teaches on column 5 line 14-24 the web browser is a parser. Uppaluru teaches on column 8 line 15-17 voice information is synthesized from the text (reads on claimed “text-to-speech engine”).

Regarding claims 4 and 13, Uppaluru teaches on column 6 line 31-34 voice web browser (claimed “search module”) accesses and processes (claimed “search”) voice web pages in response to a request placed by subscribers.

Regarding claims 7 and 16, Uppaluru teaches on column 2 line 26-29 markup language web pages are HTML (claimed “TML”) documents.

Regarding claims 8 and 17, Uppaluru teaches on column 7 line 13 to column 8 line 30 active voice pages.

Regarding claims 9 and 18, Uppaluru teaches on items 202 and 203 of Fig. 2A and column 10 line 19-49 the service database and service forms and pages (claimed “on-line analytical processing system”).

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Regarding claims 19 and 20, all rejections as stated in claim 1 above apply. Regarding “means for enabling.....output information”, Uppaluru teaches on column 5 line 65-67 a subscriber directory that stores a list of registered system subscribers (reads on claimed “enabling at least one subscriber”).

2. Claims 5, 6, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru and Coffman et al as applied to claim 4 above, and in view of Speicher (US-PAT-NO: 5,996,006).

Regarding claims 5 and 14, Uppaluru and Coffman et al failed to teach the search module comprises an SQL engine operative to query the storage device. However, Speicher teaches on column 5 line 34 “the SQL relational database software”. The “SQL relational database software” of Speicher is the claimed “SQL engine”. It would have been obvious to one skilled at the time the invention was made to modify Uppaluru and Coffman et al to include a search module which comprises an SQL engine as taught by Speicher such that the modified system of Uppaluru and Coffman et al would be able to support the SQL engine to the system users.

Regarding claims 6 and 15, Uppaluru and Coffman et al failed to teach the storage device comprises a relational database. However, Speicher teaches on column 5 line 34 “the SQL relational database software”. It would have been obvious to one skilled at the time the invention was made to modify Uppaluru and Coffman et al to include the storage device comprising a relational database as taught by Speicher such that the modified system of Uppaluru and Coffman et al would be able to support the relational database to the system users.

Response to Arguments

3. Applicant's arguments filed on 4/1/03 have been fully considered.
 - i) Applicant argues, on page 13, regarding "Request for Approval of Drawing Corrections". See objections as stated in attached PTO-948.
 - ii) Applicant argues, on page 14, regarding objections to the IDS. The Examiner re-signed the PTO-1449 to correct the objections.

Conclusion

4. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

Uppaluru et al (US: 6011844) teach point-of-presence call center management system.

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts

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to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any inquiry of a general nature or relating to the status of this application or proceeding should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to TC2600's Customer Service FAX Number 703-872-9314.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISOR PATENT EXAMINER
TECHNOLOGY CENTER 2600

